

as claims 1-3 and 6 above and further in view of Averbukh, U.S. Patent No. 5,181,495 (Averbukh). It is respectfully submitted that Claims 1-6 are patentable over the cited references.

Specifically, Claim 1 recites a spacer (33) formed as a shock-absorbing element and provided between the magnetic piston-retaining means (31) and the drive piston (13). No such spacer is disclosed in the prior art, including Bade.

In Bade, the shock-absorbing element (22a) is not provided between (in a space separating) the magnetic piston-retaining means (22) and the drive piston (32) as it is alleged in the Office Action. In Bade, the shock-absorbing element (22a) is arranged radially outwardly of the magnetic means (22) (as clearly shown in Fig.1) outside of the space between the retaining element and the piston. The element (22a) could not be arranged between the piston (32) and the retaining means (22) as the piston (32) directly abuts the retaining means (22) during a return stroke (column 5, lines 40-45). The element (22a) only cushions the impact of the piston on the magnet, but does not prevent it.

As discussed in the specification, the object of the present invention is to prevent breaking of the magnet, which is generally made of brittle materials, and to prevent the contact of the magnet with a hot piston to prevent demagnetization of

the magnet. To this end, as claimed, the shock-absorbing member is arranged between the magnetic piston-retaining means and the piston, separating them.

The cushioning element of Bade does not separate the piston and the magnetic piston-retaining means. In Bade, the magnetic retaining means still will be abraded and slowly destroyed as small particles, which are accumulated on the rear surface of the piston, would mechanically and chemically erode the magnet. This is prevented by the present invention.

Since all claim limitations must be considered in an obviousness determination, and since the combination of Bolte, Gschwend and Bade fails to disclose several of the important and recited features of independent claim 1, it is respectfully submitted the present invention, as defined by claim 1, is not rendered obvious by the combination of Bolte, Gschwend and Bade and is, therefore, patentably defines over said combination and is allowable.

Claims 2-6 depend on Claim 1 and are allowable as being dependent on an allowable subject matter.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance, and allowance of the application is respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects, in

order to place the case in condition for final allowance, it is respectfully requested that such amendment or correction be carried out by Examiner's amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, the Examiner is invited to telephone the undersigned.

Respectfully Submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 1, 2005.



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